

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

JOSEPH GAINES : **VIOLATIONS:**
18 U.S.C. § 922(g)(1) (possession of
firearm and ammunition by a convicted
felon - 1 count)
Notice of forfeiture
Notice of additional factors

COUNT ONE

On or about January 14, 2004, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

having been previously convicted in a court of the United States of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Smith & Wesson, .38 caliber, handgun, serial number J227804, loaded with five live rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE (18 U.S.C. § 924(d))

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 922(g)(1) set forth in Count One of this Indictment, defendant

JOSEPH GAINES

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 922(g) and 28 U.S.C. § 2461(c), the firearm and ammunition involved in the commission of this offense, including, but not limited to:

the Smith & Wesson, .38 caliber, handgun, serial no. J227804, and
five live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this Indictment, defendant

JOSEPH GAINES

a. Committed any part of the instant offense subsequent to sustaining at least two felony convictions of a crime of violence, as described in U.S.S.G. § 2K2.1(a)(2).

b. Committed the instant offense while under a criminal justice sentence, that is, parole, as defined by U.S.S.G. § 4A1.1(d).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY